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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/069,728	04/29/1998	STEPHEN C. MURPHY	(97-2377.00) MICS:0190/FL	3693
37106 7590 02/21/2007 FLETCHER YODER P.C. 7915 FM 1960 RD. WEST SUITE 330 HOUSTON, TX 77070			EXAMINER ALPHONSE, FRITZ	
			ART UNIT 2133	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/069,728

Applicant(s)

MURPHY, STEPHEN C.

Examiner

Fritz Alphonse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 37-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 37-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

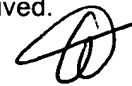
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



GUY LAMARRE
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>6</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

0.1 This Office Action is in response to Petition Decision filed on 2/07/2007. The notice of abandonment has been withdrawn. Claims 36-46 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 36, 42, 45-46 are rejected under 35 U.S.C. 102(a) as being anticipated by Graybill (U.S. Pat. No. 5,669,571).

As to claim 42, Graybill (fig. 3) shows a method for entering data into a computer (205), comprising: anchoring an electrical cord (230) to a work surface using a fastener, the electrical cord connecting a mouse (225) to the computer (205); positioning the mouse (225); and between the mouse (225) and the computer (205), winding up the electrical cord in an assembly that is physically separate from the anchor to retract slack in the electrical cord as the mouse is positioned (col. 4, lines 12-25; see abstract).

As to claims 45-46, Graybar (fig. 3) discloses a method, wherein positioning the mouse includes positioning a pointer displayed by the computer; and wherein retracting slack in the electrical cord includes retracting the slack into at least one of the mouse and an anchor (fig. 1, lines 54 through col. 2 line 8).

As to claim 36, the claim has substantially the limitations of claim 42; therefore, it is analyzed as previously discussed in claim 42 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 43-44, 37-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graybar in view of Lundberg (U.S. Pat. No. 5,844,775).

As to claims 43-44, Graybill does not explicitly teach anchoring the electrical cord to the work surface includes anchoring the electrical cord to at least one of a desktop and a mouse pad; and wherein anchoring the electrical cord includes at least one of adhering and fastening an anchor to the work surface.

However, in the same field of endeavor, Lunberg (figs. 10-12, 16 and 19) shows a method including: anchoring an electrical cord (12) to the work surface includes anchoring the electrical cord to at least one of a desktop and a mouse pad (16); and wherein anchoring the electrical cord includes at least one of adhering and fastening an anchor to the work surface (col. 3, lines 46 through col. 4 line 10).

Therefore, it would have been obvious to a person of ordinary skill in the art, at the time of the invention to improve upon the mouse cable holder, as taught by Lunberg. Doing so would eliminate the excess of slack in the electrical cord which is a nuisance, and the cord is liable to knock over or otherwise bother whatever is sitting on the support table for the mouse pad.

As to claims 37-39, Graybar does not explicitly disclose discloses the act of providing a fastener comprises providing an adhesive and a fastener to anchor the

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electrical cord to one of a desktop and a mouse pad. However, the limitations are obvious and well known in the art, as evidenced by Lunberg (figs. 10-12, 16 and 19). See the motivation for the same reason disclosed in claims 43-44 above.

As to claims 40-41, the claims have substantially the limitations of claims 43-44; therefore, they are analyzed as previously discussed in claims 43-44 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Fritz Alphonse

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February 19, 2007